

REMARKS

The Examiner required restriction between two patentability district groups of claim as set forth below:

- I. Claims 1-13, 15 and 16 addressing a method of treatment.
- II. Claims 14 and 17 drawn to thiophene compounds and compositions.

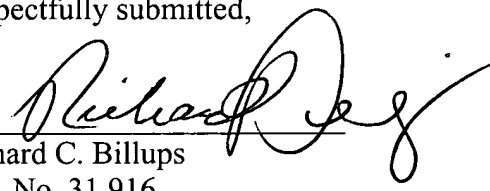
Applicants elect to continue the prosecution of group II, claims 14 and 17. This election is made with traverse. The searches of the art relative to groups I and II overlap. Class 514, subclass 444 is included in the art for both groups. This significantly reduces the burden on the Examiner in that two searches of the same art would not be required if the groups are searched together. In fact, combining the inventions would reduce the burden on the Examiner, even though patentable distinction between the groups has been found to exist. On this basis, the restriction requirement should be withdrawn.

The Examiner also required an election of species under 35 USC § 121. Applicants designate the first compound recited in claim 17, tert-butyl 4-cyano-5-[(2-ethylbutanoyl)amino]-3-methyl thiophene-2-carboxylate. This compound is selected for purposes of facilitating the Examiner's search of the art, with the understanding that the specie election requirement will be withdrawn upon the Examiners's making a determination that an allowable generic claim exists.

An early indication allowable subject matter is respectfully requested. If the Examiner has any questions he is respect requested to telephone the undersigned.

Respectfully submitted,

By


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